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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,563	07/27/2001	Moshe Weiner	Q64293	7523

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SUGHRUE MION ZINN MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, NW
Washington, DC 20037-3213

EXAMINER

HERRING, VIRGIL A

ART UNIT	PAPER NUMBER
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2132

MAIL DATE	DELIVERY MODE
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12/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/915,563

Applicant(s)

WEINER, MOSHE

Examiner

Virgil Herring

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-37, 39-43, 45-49, 51 and 52 is/are pending in the application.
- 4a) Of the above claim(s) 19-33, 35-37, 43, 45-48, 51 and 52 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 49 is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-18, 34 and 39-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the amendment filed 13 November 2007. Claims 1-6, 8-37, 39-43, 45-49, 51, and 52 are currently pending. Claims 19-33, 35-37, 43, 45-48, 51, and 52 are withdrawn from consideration.

Response to Arguments

Applicant's arguments filed 13 November 2007 have been fully considered but they are not persuasive.

With regards to claims 17 and 18, Applicant argued that the keypad 367a is merely a portion of the PDA screen and is not an actual keypad. The Examiner agrees that this is the case, but notes that claims 17 and 18 as presented do not require that the keypad and free-hand portion be two separate devices. A touchscreen keypad displayed on a screen reads on the claimed limitation. Furthermore, the Examiner notes that, although the keypad region and free-hand region are both on the same touchscreen, only the region 368 is actually used for free-hand input, whereas the keypad is displayed in the region 367.

With regards to claims 34, 39-42, and 46, Applicant argued that LaDue does not include a first conversion device to convert a free-hand message into a message of a different format, or a quantizer operable to convert a free-hand message into a plurality of sub-messages. The Examiner disagrees that quantization to convert the message

into a plurality of sub-messages is not disclosed, noting the previously cited paragraphs 233-235, 240, and 241 indicating the use of packets (i.e. the message divided into a number of smaller messages) in communications. Free-hand entry of alphanumeric characters has been a feature of PDAs since the mid-1990s. However, the characters in early incarnations were not actually stored as images, but rather were converted to simple text for memory savings (i.e. via a conversion device converting the free-hand message into a message of a different format).

Applicant's arguments, see page 15, filed 13 November 2007, with respect to the rejection of claim 49 have been fully considered and are persuasive. The rejection of claim 49 has been withdrawn.

Applicant's arguments with respect to claims 1-6 and 8-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 17, 18, 34, 39-42 and 46 are rejected under 35 U.S.C. 102(e) as being anticipated by LaDue (US Publication #2002/0133423).

With regards to claims 17 and 18, LaDue discloses a GSM (Global System for Mobile Communication) compatible communication device comprising:

- a master microprocessor; (see ¶124)

- a security identity module operably connected to the master microprocessor through a bus, said security identity module comprising a memory portion and a slave microprocessor; (see ¶124; all SIMs are comprised of a memory device and a microprocessor, because a SIM is simply a smart card, i.e., a removable circuit device comprising a processor and memory)

- a buffering device operable to communicate with said master microprocessor and said slave microprocessor; (see figure 4, DRAM 333b);

- wherein said buffering device is further operable to receive standard SMS messages input using a keypad on the communication device and free-hand created messages input using a free-hand compatible data entry device. (see ¶86 – the invention deals with reading a standard SMS message from the user and transmitting it in a modified way, i.e. the SMS message “received” by the buffering device is standard)

With regards to claims 34, 39-42, and 46, LaDue discloses a communication device comprising:

- a data entry device operable to enter a free-hand drawn message; (see figure 23, #368)

a first conversion device operable to convert said free-hand drawn message into a message of a different format; and (inherent; the device must include some method of converting the hand drawn message to a digital format for storage or transmission either internally or externally; see Arguments)

a quantizer operable to divide said free-hand drawn message into a plurality of sub messages. (¶233-235, 240-241; see Arguments)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 8-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over LaDue (US Pub. #2006/0133423) in view of Halloran et al (US Patent #5,966,667 B2).

With regards to claims 1-6 and 8-16, LaDue discloses a communication device comprising:

a master microprocessor; (see ¶124)

a security identity module operably connected to the master microprocessor through a bus; (see ¶124)

With regards to claim 1, LaDue does not expressly disclose a buffering device operable to communicate with said master microprocessor, wherein said master microprocessor is operable to receive messages from the buffering device or the security identity module, and wherein said buffering device is operably connected to a bus between the master microprocessor and the security identity module. LaDue does include that a microprocessor and SIM are connected by a bus, and also a buffering device (figure 4, DRAM 333b) connected to the microprocessor by a different bus. However, Halloran et al. disclose a mobile telephone which features a bus connecting the SIM (SIM contacts 190), processor 166, and memory (buffer) devices (note the various address and data connections to the processor) in figure 1B, and column 4, lines 33-55). LaDue and Halloran are clearly analogous art, as both are directed to mobile communications devices which are SMS-enabled. At the time of the invention, it would have been obvious to one skilled in the art to apply the teachings of Halloran to the disclosure of LaDue to create a communication device comprising a master microprocessor, a SIM operably connected to the master microprocessor through a bus, and a buffering device, all on the same bus.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Virgil Herring whose telephone number is (571) 272-8189. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

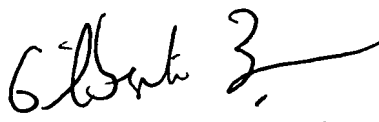
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Virgil Herring V#
Examiner
Art Unit 2132

VH


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